

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DANIEL SIEGFRIED,

Plaintiff,

V.

McNEIL CONSUMER & SPECIALTY  
PHARMACEUTICALS, A DIVISION OF  
McNEIL-PPC, INC., a foreign corporation,  
and JOHNSON & JOHNSON, a foreign  
corporation,

Defendants.

**C.A. No.: 07-118**

**NOTICE OF SERVICE OF PROCESS AND COMPLAINT**

Plaintiff, by his attorneys, hereby file with this Court, in accordance with 10 Del. C. §3104, proof of receipt of notice by the defendant, Johnson & Johnson. Attached hereto as Exhibit "A" is the mailed transmission from the United States Postal Service evidencing receipt of the registered letter along with the actual receipt of mailing. The Affidavit of Tara E. Bustard, Esquire, evidencing transmittal of said registered article is attached hereto as Exhibit "B". A copy of the actual notice sent to defendant, Johnson & Johnson, is attached hereto as Exhibit "C". Attached hereto as Exhibit "D" is the Amendment to the Complaint pursuant to Superior Court Rule 4h.

DOROSHOW, PASQUALE,  
KRAWITZ & BHAYA

By: /s/ MATTHEW R. FOGG  
ARTHUR M. KRAWITZ (#2440)  
MATTHEW R. FOGG (#4254)  
1202 Kirkwood Highway  
Wilmington, DE 19805  
(302) 998-0100  
Attorneys for Plaintiff  
[ArtKrawitz@dplaw.com](mailto:ArtKrawitz@dplaw.com)  
[MattFogg@dplaw.com](mailto:MattFogg@dplaw.com)


**Doroshow, Pasquale,  
Krawitz & Bhaya**  
1202 Kirkwood Highway  
Wilmington, Delaware 19805  
302-998-0100

DATED: 3-23-2007

EXHIBIT "A"

D. Jeffrey

TS —

Registered No. <b>RA 519 690 836 US</b>		Date Stamp 
To Be Completed By Post Office	Reg Fee <b>7.90</b>	
	Handling Charge	Return Receipt <b>1.85</b>
	Postage <b>1.11</b>	Restricted Delivery
	Received by <b>LS</b>	
	Customer Must Declare Full Value \$	<input type="checkbox"/> With Postal Insurance <input type="checkbox"/> Without Postal Insurance
<b>OFFICIAL USE</b>		
To Be Completed By Customer (Please Print) All Entries Must Be in Ballpoint or Typed	FROM	<b>Doroshew, Pasquale, Krawitz + Bhaya 1202 Kirkwood Highway Wilmington, DE 19805</b>
	TO	<b>Johnson &amp; Johnson One Johnson &amp; Johnson Plaza New Brunswick, NJ 08933</b>

PS Form 3806, Receipt for Registered Mail Copy 1 - Customer  
May 2004 (7530-02-000-9051) (See Information on Reverse)  
For domestic delivery information, visit our website at [www.usps.com](http://www.usps.com)

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<input checked="" type="checkbox"/> Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. <input checked="" type="checkbox"/> Print your name and address on the reverse so that we can return the card to you. <input checked="" type="checkbox"/> Attach this card to the back of the mailpiece, or on the front if space permits.		A. Signature <input checked="" type="checkbox"/> Agent <b>X</b> <i>[Signature]</i> <input type="checkbox"/> Addressee	
B. Received by (Printed Name) C. Date of Delivery <b>MAR 15 2007</b>		D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No	
1. Article Addressed to: <b>Johnson &amp; Johnson One Johnson &amp; Johnson Plaza New Brunswick, NJ 08933</b>		3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input checked="" type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.	
2. Article Number (Transfer from service label) <b>RA 519 690 836 US</b>		4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes	

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

EXHIBIT "B"

IN THE UNITED STATES DISTRICT COURT  
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C.A. No.: 07-118

STATE OF DELAWARE :  
: SS  
COUNTY OF NEW CASTLE :

TARA E. BUSTARD, ESQUIRE, being duly sworn according to law, deposes and says:

1. That Doroshow, Pasquale, Krawitz, Siegel & Bhaya represents the plaintiff in Civil Action No. 07-118 in which Johnson & Johnson is a defendant.
2. The notice required pursuant to 10 Del. C. §3104 was mailed, by registered mail, postage prepaid, return receipt requested, on March 12, 2007. The post office receipt obtained at the time of mailing the registered letter containing the notice is the receipt attached to this Affidavit.
3. The notice provided for in 10 Del. C. §3104 was contained in the envelope at the time it was mailed.
4. The return receipt signed by the return receipt signed by a representative of Johnson & Johnson, J. Gush, was returned to the sender on March 17, 2007.

Tara Bustard  
TARA E. BUSTARD

Doroshow, Pasquale,  
Krawitz & Bhaya  
1202 Kirkwood Highway  
Wilmington, Delaware 19805  
302-998-0100

SWORN TO AND SUBSCRIBED before me this 23<sup>rd</sup> day of March, 2007.

[Signature]  
Notary Public  
DELAWARE ATTORNEY  
FD # 4254

EXHIBIT "C"

March 12, 2007

**PLEASE RESPOND TO:**

**1202 Kirkwood Highway  
Wilmington, DE 19805**

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933

**REGISTERED LETTER  
RETURN RECEIPT  
REQUESTED**

RE: Notice of Service of Process  
Pursuant to 10 Del. C. §3104  
***Daniel Siegfried v. McNeil Consumer & Specialty Pharmaceuticals,  
et al***  
C.A. No.: 07-118

To Whom it May Concern:

This letter is to advise you that I represent Daniel Siegfried who has filed suit against you in the United States District Court for the District of Delaware with regard to an accident occurring on June 5, 2005. Enclosed you will find a copy of the Complaint filed with the United States District Court for the District of Delaware and a copy of the Summons, the original which was served upon the Secretary of State of the State of Delaware. Pursuant to 10 Del. C. §3104, the Secretary of State has been appointed your agent for the acceptance of legal process in any civil action against you as a non-resident wherein you caused tortious injuries within the State of Delaware. Under the provisions of 10 Del. C. §3104, such service shall be the same legal force and validity as if served upon any non-resident personally within the State and such appointment of Secretary of State is irrevocable and binding upon you or your heirs

If this Complaint is not answered within twenty (20) days after receipt, a Default Judgment will be held against you in the United States District Court for the District of Delaware. I advise you to immediately take this letter, with the enclosures, to an attorney or your insurance company.

Very Truly Yours,

MATTHEW R. FOGG

Enclosures

EXHIBIT "D"



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C.A. No.: 07-118

**AMENDMENT TO COMPLAINT PURSUANT TO  
SUPERIOR COURT RULE 4h**

Plaintiff amends his complaint as originally filed on February 26, 2007 by adding paragraph 35 which is intended to be incorporated in the aforesaid Complaint and to be made a part thereof:

35. Defendant, Johnson & Johnson, is a foreign corporation. Thus, service of process upon it was required under 10 Del. C. §3104. On March 12, 2007, pursuant to the requirements of 10 Del. C. §3104, plaintiff's attorney mailed to defendant, Johnson & Johnson, a copy of the Process and Complaint which was served upon the Secretary of State by registered mail, postage prepaid, return receipt requested together with a letter informing it that the original said Process and Complaint had been served upon the Secretary of State and that in accordance with 10 Del. C. §3104, this service was effectual for all intents and purposes as if it had been made upon it personally within the State. On March 17, 2007, the return receipt signed by a representative of Johnson & Johnson, J. Gush, was returned to the office of Doroshow, Pasquale, Krawitz & Bhaya. A copy of the letter, the registered mail receipt, a proof of receipt of Notice and an Affidavit have been filed with the Court.

DOROSHOW, PASQUALE,  
KRAWITZ & BHAYA

By: /s/ MATTHEW R. FOGG  
ARTHUR M. KRAWITZ (#2440)  
MATTHEW R. FOGG (#4254)  
1202 Kirkwood Highway  
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Attorneys for Plaintiff  
ArtKrawitz@dplaw.com  
MattFogg@dplaw.com

DATED: 3-23-2007